

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
-vs.-	§	Criminal No. 4:05CR202
	§	Judge Brown
KENNETH KANYAYI	§	

**ELEMENTS OF THE OFFENSE**

KENNETH KANYAYI, you are charged in an indictment filed in the Eastern District of Texas with Social Security Fraud in violation of Title 42, United States Code, Section 408(a)(7)(B). The following are the essential elements of the offense that the government must prove beyond a reasonable doubt before you could be convicted, but which you would admit if your plea is accepted.

<u>First:</u>	That the defendant represented a particular Social Security account number to be his;
<u>Second:</u>	That such representation was false;
<u>Third:</u>	That such representation was made with intent to deceive; and
<u>Fourth:</u>	That such representation was for any purpose.

Respectfully submitted,

MATTHEW D. ORWIG  
United States Attorney

/s/

JOHN L. RATCLIFFE  
Assistant United States Attorney

KENNETH KANYAYI  
ELEMENTS OF THE OFFENSE

Certificate of Service

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I hereby certify a true and correct copy of the foregoing was served by electronic filing by CM/ECF to Mr. William J. Stith, 2809 Boone Ct., Plano, TX 75023 on this the 22nd day of November, 2005.

/s/

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John L. Ratcliffe